

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MASSACHUSETTS

FIDELITY MANAGEMENT TRUST)
COMPANY, as Collateral Agent for)
Mellon Bank, N.A., as Trustee of Bell)
Atlantic Master Trust with Respect to)
to Account C,)
Plaintiff,) Civil Action No. 04-CV-11873-NMG
v.)
RICCARDO OLIVIERI, an individual,)
Defendant.)
)

**ASSENTED TO MOTION FOR ONE-DAY EXTENSION
OF TIME TO RESPOND TO REMAND MOTION**

The Defendant moves that the time within which he must respond to "Fidelity Management Trust Company's Motion to Vacate Removal and for Remand Motion for Remand" (the "Remand Motion") be extended by one day through the close of business on October 19, 2004. This motion has been assented to. In support hereof the Defendant states that, due to a computer malfunction, the response which had been prepared for filing today has been lost, apparently irretrievably, and must be reconstructed.

RICCARDO OLIVIERI
By his attorneys,

/s/ Kenneth J. DeMoura _____
Richard L. Levine (BBO#297040)
Kenneth J. DeMoura (BBO#548910)
ADLER POLLOCK & SHEEHAN
175 Federal Street
Boston, MA 02110
(617) 603-0556 (Mr. Levine)
(617) 482-0600 (Mr. DeMoura)
(617) 482-0604 (fax)

ASSENTED TO:

/s/ Anthony M. Feeherry

Anthony M. Feeherry, Esq.
Counsel for Plaintiff

Dated: October 18, 2004

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